

Before the Board of Zoning Adjustment, D. C.
PUBLIC HEARING -- February 23, 1966

Appeal No. 8609 Solomon and Sophie Nathanson, Appellants

The Zoning Administrator District of Columbia, appellee

On motion duly made, seconded and carried with Mr. Arthur P. Davis dissenting in part, the Board entered the following Order at the meeting of March 4, 1966.

EFFECTIVE DATE OF ORDER: April 22, 1966

ORDERED:

That the appeal for permission to extend permitted commercial building not to exceed 35 feet into adjoining R-2 District at 7421 Georgia Ave., N.W., lot 809, square 2962, be conditionally granted.

From the records and the evidence adduced at the public hearing, the Board finds the following facts:

(1) Appellants' lot is located in a split zone; the frontage on Georgia Avenue is in the C-2 District; the rear of the lot is in the R-2 District.

(2) Appellants' lot is approximately 130 feet deep, the first 100 feet is zoned C-2, the back 30 feet is zoned R-2.

(3) Appellant proposes to use the back 30 feet of the lot for storage space for the liquor store.

(4) Appellants' liquor store is single story building with a 30 foot frontage on Georgia Avenue.

(5) Appellants provide parking adjacent to the liquor store building.

(6) Section 7514.12 provides that the Board may approve an extension where "such extension shall be limited to that portion of the lot in the more restrictive use district but not exceeding 35 feet."

(7) There was no opposition to the granting of this appeal registered at the public hearing. Neighbors Inc. opposes the granting of this appeal. In addition, the file contains a petition signed by 24 persons in opposition to the granting of this appeal.

OPINION:

The Board is of the opinion that the granting of this appeal will not have an adverse effect upon the present character and future development

OPINION cont'd.

of the neighborhood. Further the appeal will not be inconsistent with the public good and will have no substantially adverse affect upon the zoning plan as embodied in the Zoning Regulations and Map.

The Order shall be subject to the following condition:

Appellant shall erect a 42" masonry wall to close the lot from the alley.

Mr. Davis dissents from that portion of the Order requiring erection of the wall.